

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOYCE JONAS,

Plaintiff,

vs.

No. CIV 09-0091 JB/WPL

BOARD OF COMMISSIONERS OF LUNA COUNTY,
LUNA COUNTY SHERIFF'S OFFICE,
DEPUTY SHERIFF DONNIE DANIELS,
and DEPUTY SHERIFF DON HOOLAN,

Defendants.

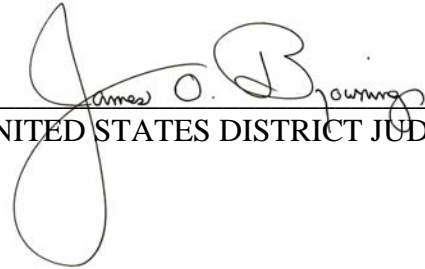
ORDER

THIS MATTER comes before the Court on the County Defendants' Motion in Limine No. III: the Exclusion of Evidence at Trial Regarding Deputy Sheriff Daniels' Relationship to Tierra Jonas, filed February 25, 2010 (Doc. 57). The Court held a hearing on March 5, 2010. The primary issue is whether the Court should exclude, pre-trial, evidence of a relationship between Defendant Deputy Sheriff Donnie Daniels and Tierra Jonas, Plaintiff Joyce Jonas' daughter-in-law. Because the Court finds that the evidence is relevant to J. Jonas' claims, the Court will deny the motion.

In their motion, the Defendants ask the Court for an order excluding from evidence the fact that Daniels' father is T. Jonas' ex-husband. See Motion at 1. As grounds for the motion, the Defendants argue that the evidence is not relevant and that, even if the fact is relevant, the danger of unfair prejudice or confusion of the issues substantially outweighs any probative value. See id. at 2-4 (citing Fed. R. Evid. 402 & 403). J. Jonas opposes this motion, arguing that Daniels' relationship with T. Jonas and her children is relevant, because the relationship provides a motive or explanation for Daniels' actions on the date of the events underlying this suit. See Plaintiff's

Response to Defendants [sic] Motion in Limine No. III at 1-3, filed March 3, 2010 (Doc. 75). The Court agrees with J. Jonas and, for the reasons stated on the record, and for further reasons consistent with those already stated, the Court will deny the Defendants' motion.

IT IS ORDERED that the County Defendants' Motion in Limine No. III: the Exclusion of Evidence at Trial Regarding Deputy Sheriff Daniels' Relationship to Tierra Jonas is denied.



UNITED STATES DISTRICT JUDGE

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